

BEFORE THE HUMAN RIGHTS COMMISSION
OF THE STATE OF MONTANA

MITCHELL IRON,

Charging Party,

-v-

DIXON BROS. INC.,

Respondent.

Case No.: 0051011435

ORDER

On August 19, 2005, the Department of Labor and Industry's Human Rights Bureau issued a Notice of Dismissal and Notice of Right to Sue in the above-captioned matter. Charging Party, Mitchell Iron (Iron), filed objections with the Montana Human Rights Commission (Commission). The Commission considered Charging Party's objections without oral argument on November 14, 2005.

In this matter, the Human Rights Bureau determined that a preponderance of the evidence did not support Iron's complaint of discrimination against his former employer, Dixon Brothers Inc. Mitchell Iron alleged that Dixon Brothers Inc. unlawfully discriminated on the basis of disability and race. After careful and due consideration, the Commission concludes the determination of the Human Rights Bureau is sufficiently supported by the record and there was no abuse of discretion in the issuance of a Notice of Dismissal. *Mont. Code Ann. § 49-2-509(4) (2003); Admin. R. Mont. 24.9.1714(3).*

Charging Party will have 90 days after the receipt of this order to petition a district court in the district where the alleged violation occurred for the appropriate relief. *Mont. Code Ann. § 49-2-509(5) (2003); Admin. R. Mont. 24.9.1714(5).* If Charging Party fails to commence a civil action within 90 days, the claim is time barred. *Id.*

IT IS HEREBY ORDERED, that Charging Party's objection is **overruled**. The Commission adopts the determination of the Human Rights Bureau and the Notice of Dismissal is affirmed.

DATED this ____ day of November 2005.

Chair Franke Wilmer
Human Rights Commission

CERTIFICATE OF SERVICE

The undersigned secretary for the Human Rights Commission certifies that a true and correct copy of the foregoing ORDER was mailed to the following by U.S. Mail, postage prepaid, on this _____ day of November, 2005.

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Montana Human Rights Bureau